



General Assembly

Amendment

February Session, 2010

LCO No. 3642

SB0014803642SR0

Offered by:
SEN. WITKOS, 8th Dist.

To: Senate Bill No. 148

File No. 29

Cal. No. 55

**"AN ACT CONCERNING THE TERM "EMERGENCY
MANAGEMENT DIRECTOR" AND REDEFINING "MAJOR
DISASTER" AND "EMERGENCY"."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 7-278 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2010*):

5 No active head of any police department and no officer of any
6 police department not subject to a collective bargaining agreement of
7 any town, city or borough shall be dismissed unless there is a showing
8 of just cause by the authority having the power of dismissal and such
9 person has been given notice in writing of the specific grounds for
10 such dismissal and an opportunity to be heard in his own defense,
11 personally or by counsel, at a public hearing before such authority.
12 Such public hearing, unless otherwise specified by charter, shall be
13 held not less than five nor more than ten days after such notice. Any
14 person so dismissed may appeal within thirty days following such

15 dismissal to the superior court for the judicial district in which such
16 town, city or borough is located. Service shall be made as in civil
17 process. Said court shall review the record of such hearing, and, if it
18 appears upon the hearing upon the appeal that testimony is necessary
19 for an equitable disposition of the appeal, it may take evidence or
20 appoint a referee or a committee to take such evidence as it directs and
21 report the same to the court with his or its findings of fact, which
22 report shall constitute a part of the proceedings upon which the
23 determination of the court shall be made. The court, upon such appeal,
24 and after a hearing thereon, may affirm the action of such authority, or
25 may set the same aside if it finds that such authority acted illegally or
26 arbitrarily, or in the abuse of its discretion, with bad faith, malice, or
27 without just cause."